

Congress of the United States
House of Representatives
Washington, DC 20515

August 27, 2014

The Honorable Secretary Sylvia Mathews Burwell
U.S. Department of Health and Human Services
Hubert Humphrey Building, Room 416 G
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Burwell:


We are writing to express our concern about the resources that the U.S. Food and Drug Administration (FDA) will need to fully implement the FDA Food Safety Modernization Act (FSMA). In the four years since FSMA was enacted, Congress has provided some of the funding necessary for FSMA implementation, but much more funding will be required to make the larger, up-front investments necessary to ensure the public-health benefits the law promises.

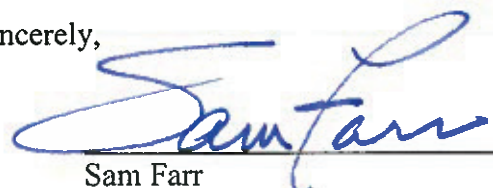
FDA must have the resources to retrain the existing inspection workforce, hire new staff, and contract with states to leverage their inspection forces. FDA also must provide training and technical assistance to help growers and processors meet the new requirements and upgrade its information technology infrastructure so that FDA can deploy a truly risk-based oversight system and more fully secure our food supply. Continuing outbreaks of foodborne illnesses undermine consumer confidence and greatly concern those of us who supported FSMA and want it to be implemented expeditiously.

Once the major rules are completed in the upcoming year, FDA will require additional funding to fully implement FSMA. In your 2016 budget request, we urge you to discontinue the request for user fees to implement FSMA. As you know, Congress has rejected the Administration's last five requests to provide for the implementation of FSMA through user fees. No bill to authorize such fees has been introduced and even if enabling legislation is introduced this year, it is highly unlikely that any new law will be enacted in time to fund these vital FSMA implementation steps.

We appreciate that the Administration's previous budget requests included more budget authority to implement FSMA, and we hope future requests will continue to support the implementation of FSMA. However, we urge you to discontinue your request for FSMA user fees as they hide the true cost of implementation and will likely be rejected again. We appreciate your timely response to our request.

Sincerely,


Rosa L. DeLauro
Member of Congress


Sam Farr
Member of Congress